

| UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD CHARGE AGAINST EMPLOYER | | DO NOT WRITE IN THIS SPACE Case Date Filed 05-CA-149399 04/02/2015 | |
|---|---|---|--|
| INSTRUCTIONS File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring. | | | |
| 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT | | | |
| a. Name of Employer SKR Inc. d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers | | b. Number of workers employed 100 | |
| c. Address 5106 Nine Mile Road Richmond, VA 23223 McDonald's Corp. 2111 McDonald's Dr. Oak Brook, IL 60523 | d. Employer Representative (b) (6), (b) (7)(C) McDonald's: Gloria Santana | e. Telephone No. (804) 730-6783 | |
| f. Type of Establishment Restaurant | g. Identify principal product or service Food Service | | |
| h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (3) and (4) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act. | | | |
| 2. BASIS OF THE CHARGE (Set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) | | | |
| On a date within the last six months, employer interfered with, and discriminated against employees in the exercise of their Section 7 rights in violation of Sections 8(a)(1) and (3) of the Act by cutting the days and hours of (b) (6), (b) (7)(C) in retaliation for (b) (6), (b) (7)(C). | | | |
| 3. Full name of party filing charge (if labor organization, give full name, including local name and number) Southern Workers Organizing Committee | | | |
| 4a. Address (street and number, city, state, and ZIP code) 314 S. Wilmington St., Suite 207 Raleigh, NC 27601 | | 4b. Telephone No. Guillermo Zamora (703) 629-2199 | |
| 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) | | | |
| 6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. | | | |
| _____ (Signature of representative or person making charge) | | _____ Attorney (Title if any) | |
| Address Ashcraft & Gerel LLP 4900 Seminary Road, Suite 650 Alexandria, VA 22311 (Date) 4/2/15 | | (703) 627-5510 (Telephone No.) | |
| WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) | | | |

GER

CHARGE ASSIGNMENT SHEET (EMPLOYER)

Case No.: 05-CA-149399

CASE NAME: SFR. INC. 11616 (Richmond) 58
McDonald's (Seaglass Island) 51016

DATE FILED:

4/2/15

CATEGORY:

☐ I ☒ II ☐ III

Potential 10(j)

no

8(a)(2) (indicated name of union):

discriminatees

8(a)(3):

of Employees (if not currently on charge) 109

IO charge? Yes: ☐ No: ☒

Dispute City: Richmond

CA

Dispute State:

HOT TOPIC?

Yes: ☒ No: ☐

Fast Food

Barg Status:

☐ Existing Contract

☐ None

☒ Organizational Campaign

☐ Seeking Initial Contract

☐ Seeking Successor Contract

COMMENTS:

SUPERVISOR:

Holt

AGENT:

Babala

8(a)(1)

- ☐ Coercive Actions (Surveillance, etc)
- ☐ Coercive Rules
- ☐ Coercive Statements (Threats, Promises of Benefits, etc.)
- ☐ Concerted Activities (Retaliation, Discharge, Discipline)
- ☐ Denial of Access
- ☐ Discharge of supervisor (Parker-Robb Chevrolet)
- ☐ Interrogation (including Polling)
- ☐ Lawsuits
- ☐ Weingarten

8(a)(4)

- ☐ Changes in Terms and Conditions of Employment
- ☐ Discharge (including Layoff and Refusal to Hire)
- ☐ Discipline
- ☐ Refusal to Reinstatement Employee/Striker
- ☐ Shutdown or Relocate/ Subcontract Unit Work

8(a)(2)

- ☐ Assistance
- ☐ Domination
- ☐ Unlawful Recognition

8(a)(5)

- ☐ Alter Ego
- ☐ Failure to Sign Agreement
- ☐ Refusal to Bargain/Bad Faith Bargaining (including surface bargaining/direct dealing)
- ☐ Refusal to Furnish Information
- ☐ Refusal to Hire Majority
- ☐ Refusal to Recognize
- ☐ Repudiation/Modification of Contract[Sec 8(d)/Unilateral Changes
- ☐ Shutdown or Relocate (e.g. First National Maintenance).Subcontract Work

8(a)(3)

- ☒ Changes in Terms and Conditions of Employment
- ☐ Discharge (Including Layoff and Refusal to Hire (not salting))
- ☐ Discipline
- ☐ Lockout
- ☐ Refusal to Consider/Hire Applicant (salting only)
- ☐ Refusal to Reinstatement Employee/Striker (e.g. Laidlaw)
- ☐ Retaliatory Lawsuit
- ☐ Shutdown or Relocate/ Subcontract Unit Work
- ☐ Union Security Related Actions

8(e)

- ☐ All Allegations against a Labor Organization
- ☐ All Allegations against an Employer

1-1324928842

proofed by Og 4/3/15



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 5
BANK OF AMERICA CENTER, TOWER II
100 S. CHARLES STREET, SUITE 600
BALTIMORE, MD 21201

Agency Website: www.nlr.gov
Telephone: (410) 962-2822
Fax: (410) 962-2198



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April 3, 2015

Gloria Santona, Esq.
McDonald's Corporation
2111 McDonalds Drive
Oak Brook, IL 60523-2199

Re: SKR Inc. d/b/a McDonald's & McDonald's
Corp. as Joint and Single Employers
Case 05-CA-149399

Dear Ms. Santona:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Rachel R. Babale whose telephone number is (410) 962-2236. If this Board agent is not available, you may contact Supervisory Field Examiner Emily N. Hunt whose telephone number is (410) 962-2864.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent.

April 3, 2015

Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

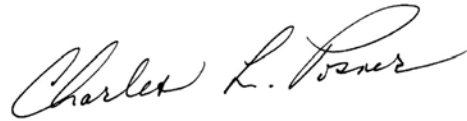
Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

April 3, 2015

We can provide assistance for persons with limited English proficiency or disability.
Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Charles L. Posner". The signature is fluid and cursive, with the first name "Charles" being more prominent than the last name "Posner".

Charles L. Posner
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc:

(b) (6), (b) (7)(C)
McDonald's Corporation
5106 Nine Mile Road
Richmond, VA 23223-3341

Revised 3/21/2011

NATIONAL LABOR RELATIONS BOARD

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

SKR Inc. d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers

CASE NUMBER

05-CA-149399

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$

YES

NO

B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. **Did you begin operations within the last 12 months?** If yes, specify date: _____**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**SKR INC. D/B/A MCDONALD'S &
MCDONALD'S CORP. AS JOINT AND SINGLE
EMPLOYERS**

Charged Party

and

**SOUTHERN WORKERS ORGANIZING
COMMITTEE**

Charging Party

Case 05-CA-149399

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on April 3, 2015, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Gloria Santona, Esq.
McDonald's Corporation
2111 McDonalds Drive
Oak Brook, IL 60523-2199

(b) (6), (b) (7)(C)
McDonald's Corporation
5106 Nine Mile Road
Richmond, VA 23223-3341

April 3, 2015

Date

Grace Piazza, Designated Agent of NLRB

Name

/s/ Grace Piazza

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 5
BANK OF AMERICA CENTER, TOWER II
100 S. CHARLES STREET, SUITE 600
BALTIMORE, MD 21201

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Fax: (410) 962-2198



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April 3, 2015

Virginia R. Diamond, Esq.
Ashcraft & Gerel, LLP
4900 Seminary Road, Suite 650
Alexandria, VA 22311

Re: SKR Inc. d/b/a McDonald's & McDonald's
Corp. as Joint and Single Employers
Case 05-CA-149399

Dear Ms. Diamond:

The charge that you filed in this case on April 02, 2015 has been docketed as case number 05-CA-149399. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Rachel R. Babale whose telephone number is (410) 962-2236. If this Board agent is not available, you may contact Supervisory Field Examiner Emily N. Hunt whose telephone number is (410) 962-2864.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

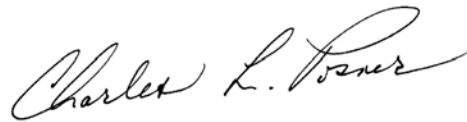
April 3, 2015

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlrb.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlrb.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, reading "Charles L. Posner". The signature is fluid and cursive, with the first name "Charles" and last name "Posner" clearly legible.

Charles L. Posner
Regional Director

Enclosure: Copy of Charge

cc: Mr. Guillermo Zamora
Southern Workers Organizing Committee
314 South Wilmington Street, Suite 207
Raleigh, NC 27601

From: [Babale, Rachel R.](#)
To: [SM-Region 5, Baltimore](#)
Subject: SKR; 05-CA-149399
Date: Tuesday, April 7, 2015 1:43:06 PM

Please add to the participant sheet, under Virginia Diamond, as a second Legal Rep for the Charging Party:

Lauren Bonds, Esq.
Service Employees International Union
1800 Massachusetts Avenue, NW
Washington, DC 20036
Phone: (202)730-7149
Mobile Phone: (202)251-6699
Email: lauren.bonds@seiu.org
Fax: (202)429-5565

From: [Babale, Rachel R.](#)
To: ["lauren.bonds@seiu.org"](mailto:lauren.bonds@seiu.org)
Subject: SKR Inc./McDonald"s; 05-CA-149399
Date: Tuesday, April 7, 2015 4:08:00 PM
Attachments: [LTR.05-CA-149399.DD Ltr.pdf](#)

Please see the attached.

Rachel Revitte Babale

Field Examiner

National Labor Relations Board - Region 5

rachel.babale@nlrb.gov

Phone: 410-962-2236

Fax: 410-962-2198



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 5
BANK OF AMERICA CENTER, TOWER II
100 S. CHARLES STREET, STE 600
BALTIMORE, MD 21201

Agency Website: www.nlrb.gov
Telephone: (410)962-2822
Fax: (410)962-2198

Agent's Direct Dial: (410)962-2236

April 7, 2015

Lauren Bonds, Esq.
Service Employees International Union
1800 Massachusetts Ave, NW
Washington, DC 20036
Lauren.bonds@seiu.org

Sent via email

**Re: SKR Inc. d/b/a McDonald's &
McDonald's Corp, Joint and Single
Employers; 05-CA-149399**

Dear Ms. Bonds:

I am the Board agent assigned to investigate the above captioned charge filed with our office. I left you a message to schedule the affidavit of (b) (6), (b) (7)(C), (b) (7)(D), however, as of this date, I have not heard back from you. To that regard, I have scheduled one on your behalf. This may take several hours. I am willing to meet with (b) (6), (b) (7)(C), (b) (7)(D) on one of the following days:

(b) (6), (b) (7)(C), (b) (7)(D)

Please call me immediately to let me know which of these dates is acceptable or provide me with (b) (6), (b) (7)(C), (b) (7)(D) contact information, so that I may schedule the affidavit directly with (b) (6), (b) (7)(C), (b) (7)(D). Please also advise as to whether there are additional Charging Party witnesses that could provide testimony on one of the above dates. Please understand that as the Charging Party, your cooperation is essential to the investigation. If I am unable to arrange the affidavit by April 20, 2015, I will recommend that the Region dismiss this charge for lack of cooperation. You can reach me at the phone number above.

Respectfully,

Rachel R. Babale

Rachel Revitte Babale
Field Examiner

From: [Lauren Bonds](#)
To: [Babale, Rachel R.](#)
Subject: Re: SKR Inc./McDonald's; 05-CA-149399
Date: Wednesday, April 8, 2015 11:46:08 AM

Hi Ms. Babale,

(b) (6), (b) (7)(C), (b) (7)(D) would like to meet with you (b) (6), (b) (7)(C), (b) (7)(D). We can use the (b) (6), (b) (7)(C) office (address below) unless you prefer a different location.

(b) (6), (b) (7)(C), (b) (7)(D)

On Tue, Apr 7, 2015 at 4:08 PM, Babale, Rachel R. <Rachel.Babale@nlrb.gov> wrote:

Please see the attached.

Rachel Revitte Babale

Field Examiner

National Labor Relations Board - Region 5

rachel.babale@nlrb.gov

Phone: [410-962-2236](tel:410-962-2236)

Fax: [410-962-2198](tel:410-962-2198)

--

Lauren Bonds
Law Fellow
Service Employees International Union



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 5
BANK OF AMERICA CENTER, TOWER II
100 S. CHARLES STREET, STE 600
BALTIMORE, MD 21201

Agency Website: www.nlrb.gov
Telephone: (410)962-2822
Fax: (410)962-2198

Agent's Direct Dial: (410)962-2236

April 23, 2015

(b) (6), (b) (7)(C)
SKR, Inc.
5106 Nine Mile Rd.
Richmond, VA 23223-3341

Re: SKR, Inc. d/b/a McDonald's &
McDonald's Corp., a Single and/or Joint
Employer
Case 05-CA-149399

Dear (b) (6), (b) (7)(C):

I am writing this letter to advise you that it is now necessary for me to take evidence from you regarding the allegations raised in the investigation of the above-referenced matter. Set forth below are the allegations and issues on which your evidence is needed, a request to take affidavits, a request for documentary evidence, and the date for providing your evidence.

Allegations: The allegations for which I am seeking your evidence are as follows.

- On or about the week of (b) (6), (b) (7)(C), 2015, the Employer reduced the hours of (b) (6), (b) (7)(C), by approximately (b) (6), (b) (7)(C), because of (b) (6), (b) (7)(C) protected, concerted activities.
- On or about the week of (b) (6), (b) (7)(C), 2015, the Employer reduced the hours of (b) (6), (b) (7)(C), by approximately (b) (6), (b) (7)(C), because of (b) (6), (b) (7)(C) protected, concerted activities.
- On or about the week of (b) (6), (b) (7)(C), 2015, the Employer reduced the hours of (b) (6), (b) (7)(C), by approximately (b) (6), (b) (7)(C), because of (b) (6), (b) (7)(C) protected, concerted activities.
- The Charging Party also alleges that SKR, Inc. and McDonald's Corp. are single and/or joint employers.¹

¹ This allegation will be investigated separately. I am not requesting any evidence related to this allegation at this time, but may do so in the future. Of course, at any time, you may submit evidence related to the allegation, should you wish to do so.

Board Affidavits: I am requesting to take affidavits from (b) (6), (b) (7)(C) and any other individuals you believe have information relevant to the investigation of this matter. Please be advised that the failure to present representatives who would appear to have information relevant to the investigation of this matter, for the purposes of my taking sworn statements from them, constitutes less than complete cooperation in the investigation of the charge. Please contact me by April 29, 2015 to schedule these affidavits.

Documents: Please provide the following documents, along with any and all other evidence you deem to be relevant to the case:

1. (b) (6), (b) (7)(C) personnel file.
2. Employee schedules for the 9 Mile Road McDonald's Store for January 1, 2015 through April 25, 2015.
3. Time records or payroll records for the 9 Mile Road McDonald's Store for January 1, 2015 through April 25, 2015.
3. All internal e-mails, correspondence or memoranda related to scheduling in March 2015.

Date for Submitting Evidence: To resolve this matter as expeditiously as possible, you must provide your evidence and position in this matter by **April 30, 2015**. If you are willing to allow me to take affidavits, please contact me by April 29, 2015 to schedule a time to take affidavits. Electronic filing of position statements and documentary evidence through the Agency website is preferred but not required. To file electronically, go to **www.nlr.gov**, select **E-File Documents**, enter the **NLRB case number**, and follow the detailed instructions. If I have not received all your evidence by the due date or spoken with you and agreed to another date, it will be necessary for me to make my recommendations based upon the information available to me at that time.

Please contact me at your earliest convenience by telephone, (410)962-2236, or e-mail, rachel.babale@nlrb.gov, so that we can discuss how you would like to provide evidence and I can answer any questions you have with regard to the issues in this matter.

Very truly yours,

RACHEL R. BABALE
Field Examiner

From: [Chambers, John](#)
To: [Denegal, Jacqueline](#); [Clark, Cathy D.](#)
Subject: RE: fir.05-CA-149399. chain approving FULL WITHDRAWAL, SKR, Inc. d/b/a McDonald's & McDonald's Corp as Joint and Single Employer
Date: Monday, August 24, 2015 4:47:06 PM

Thanks Jackie!

Cheers!

John M. Chambers
Administrative Officer (Office Manager)
National Labor Relations Board, Region 5
(410) 962-1712

From: Denegal, Jacqueline
Sent: Monday, August 24, 2015 4:40 PM
To: Chambers, John; Clark, Cathy D.
Cc: Denegal, Jacqueline
Subject: FW: fir.05-CA-149399. chain approving FULL WITHDRAWAL, SKR, Inc. d/b/a McDonald's & McDonald's Corp as Joint and Single Employer
Importance: High

[Letter issued.](#)

[Jackie](#)

From: Hunt, Emily N.
Sent: Monday, August 24, 2015 4:36 PM
To: Wilkins, Charlene E.
Cc: Shuster, Steven L.; Chambers, John; Denegal, Jacqueline
Subject: RE: fir.05-CA-149399. chain approving FULL WITHDRAWAL, SKR, Inc. d/b/a McDonald's & McDonald's Corp as Joint and Single Employer

[The letter is approved to issue.](#)

From: Wilkins, Charlene E.
Sent: Monday, August 24, 2015 3:00 PM
To: Hunt, Emily N.
Cc: Shuster, Steven L.; Chambers, John; Denegal, Jacqueline
Subject: FW: fir.05-CA-149399. chain approving FULL WITHDRAWAL, SKR, Inc. d/b/a McDonald's & McDonald's Corp as Joint and Single Employer
Importance: High

Withdrawal letter is ready for final approval.

From: Denegal, Jacqueline
Sent: Monday, August 24, 2015 2:30 PM
To: Wilkins, Charlene E.
Cc: Chambers, John; Clark, Cathy D.
Subject: FW: fir.05-CA-149399. chain approving FULL WITHDRAWAL, SKR, Inc. d/b/a McDonald's & McDonald's

Corp as Joint and Single Employer

Importance: High

Hi Charlene,

Please proof my [withdrawal](#).

Thanks!

Jackie

From: Mitchell, Waynetta

Sent: Monday, August 24, 2015 2:20 PM

To: Denegal, Jacqueline

Subject: RE: fir.05-CA-149399. chain approving FULL WITHDRAWAL, SKR, Inc. d/b/a McDonald's & McDonald's Corp as Joint and Single Employer

I have proofed your letter and it is ready for approval. Thank you, Waynetta

From: Denegal, Jacqueline

Sent: Monday, August 24, 2015 12:58 PM

To: Mitchell, Waynetta

Subject: FW: fir.05-CA-149399. chain approving FULL WITHDRAWAL, SKR, Inc. d/b/a McDonald's & McDonald's Corp as Joint and Single Employer

Importance: High

Hi Waynetta,

Please proof my [withdrawal](#).

Thanks!

Jackie

From: Chambers, John

Sent: Monday, August 24, 2015 12:10 PM

To: Denegal, Jacqueline

Cc: Clark, Cathy D.; Wilkins, Charlene E.

Subject: FW: fir.05-CA-149399. chain approving FULL WITHDRAWAL, SKR, Inc. d/b/a McDonald's & McDonald's Corp as Joint and Single Employer

Importance: High

Hi Jackie!

Please process this w/d. Thanks!

Cheers!

John M. Chambers

Administrative Officer (Office Manager)
National Labor Relations Board, Region 5
(410) 962-1712

From: Wilkins, Charlene E.
Sent: Monday, August 24, 2015 11:48 AM
To: Chambers, John
Cc: Shuster, Steven L.
Subject: FW: fir.05-CA-149399. chain approving FULL WITHDRAWAL, SKR, Inc. d/b/a McDonald's & McDonald's Corp as Joint and Single Employer
Importance: High

Withdrawal is ready to be processed.

From: Shuster, Steven L.
Sent: Monday, August 24, 2015 10:57 AM
To: Wilkins, Charlene E.
Cc: Hunt, Emily N.
Subject: FW: fir.05-CA-149399. chain approving FULL WITHDRAWAL, SKR, Inc. d/b/a McDonald's & McDonald's Corp as Joint and Single Employer

This w/d is approved and ready for processing.

From: Hunt, Emily N.
Sent: Monday, August 24, 2015 10:18 AM
To: Shuster, Steven L.
Subject: fir.05-CA-149399. chain approving FULL WITHDRAWAL, SKR, Inc. d/b/a McDonald's & McDonald's Corp as Joint and Single Employer

(b) (5)



WITHDRAWAL

| | |
|--|---|
| CASE NAME: | SKR, Inc. d/b/a McDonald's & McDonald's Corp as Joint and Single Employer |
| CASE NUMBER: | 05-CA-149399 |
| SCOPE: | Full |
| Date of issuance of Withdrawal Letter: | |

Withdrawal Options: Non-adjusted Written

(b) (5)



Checklist:

- ☒ My [LOG](#) is updated in NxGen.
- ☒ [All Notices of Appearance, including e-mail correspondence, have been uploaded into NxGen.](#)
- ☒ [The Participant List accurately reflects all appearances.](#)

Routing Instructions: Full - Agent - Supe - ARD - RD Sec. - OM - Typing Pool - RD Sec. - Supe - Typing Pool

Typist will save e-mail chain as: **FIR. 05-CA-149399 .chain approving-Full Withdrawal**

Emily N. Hunt, Supervisory Examiner
National Labor Relations Board, Region 5
Bank of America Center, Tower II
100 S. Charles Street, Suite 600
Baltimore, MD 21201

(410) 962-2864 direct
(410) 962-2198 fax
(410) 962-2048 team secretary

Please consider the environment before printing this message.

From: [Jaffe, Leah Z.](#)
To: [Andrews, Kimberly](#); [Dunham, Geoffrey](#)
Cc: [Babale, Rachel R.](#); [Shuster, Steven L.](#)
Subject: RE: Recommendation of (b) (5) SKR/McDonald's; 05-CA-149399
Date: Monday, June 29, 2015 5:11:03 PM

Thanks. I am forwarding your email to DRA Geoff Dunham who will be in touch.

Leah Z. Jaffe
Regional Attorney
National Labor Relations Board, Region 2
26 Federal Plaza, Room 3614
New York, N.Y. 10278
(212) 264-0332
FAX (212) 264-2450
leah.jaffe@nrlrb.gov

From: Andrews, Kimberly
Sent: Monday, June 29, 2015 4:33 PM
To: Jaffe, Leah Z.
Cc: Babale, Rachel R.; Shuster, Steven L.
Subject: FW: Recommendation of (b) (5) SKR/McDonald's; 05-CA-149399

Leah,

Below you will find an e-mail chain recommending (b) (5) of Region 5's case 05-CA-149399 involving a McDonald's in Richmond, Virginia. All documents have been uploaded to the NxGen file. As the coordinating Region for McDonald's cases, please let us know if you agree with our recommendation and we will proceed accordingly.

Kimberly Andrews
Board Agent

National Labor Relations Board, Region 5
100 South Charles Street
Suite 600, Tower II
Baltimore, MD 21202
t: (410)962-3120
f: (410)962-2198

From: Shuster, Steven L.
Sent: Thursday, June 25, 2015 5:53 PM
To: Andrews, Kimberly
Subject: RE: Recommendation of (b) (5) SKR/McDonald's; 05-CA-149399

(b) (5) Please forward our recommendation to Region 2.

From: Andrews, Kimberly

Sent: Thursday, June 25, 2015 9:52 AM

To: Shuster, Steven L.

Subject: Recommendation of (b) (5) SKR/McDonald's; 05-CA-149399

Steve,

Please review Rachel's team FIR. Rachel and I agree that the case should be submitted to coordinating Region 2 with (b) (5) recommendation.

(b) (5)



Kimberly Andrews
Board Agent

National Labor Relations Board, Region 5
100 South Charles Street
Suite 600, Tower II
Baltimore, MD 21202
t: (410)962-3120
f: (410)962-2198

From: Babale, Rachel R.

Sent: Tuesday, June 23, 2015 2:03 PM

To: Andrews, Kimberly

Subject: SKR/McDonald's; 05-CA-149399

Kim,

Here is the [FIR](#) for this case.

From: [Hunt, Emily N.](#)
To: [Shuster, Steven L.](#)
Subject: FW: Affirmation of Decision: SKR/McDonald's; 05-CA-149399
Date: Thursday, August 20, 2015 4:27:00 PM

FYI. I'll process the withdrawal when I return on Monday.

From: Dunham, Geoffrey
Sent: Thursday, August 20, 2015 4:06 PM
To: Hunt, Emily N.
Cc: Wainstein, Richard
Subject: FW: Affirmation of Decision: SKR/McDonald's; 05-CA-149399

Emily, please excuse the delay in responding. (b) (5)

Geoff

From: Hunt, Emily N.
Sent: Monday, August 17, 2015 3:58 PM
To: Dunham, Geoffrey
Subject: SKR/McDonald's; 05-CA-149399

Geoff,

Would you give me an idea of when your Region may be in a position to respond to Region 5's [recommendation](#) (b) (5) in the above case? The Union has indicated (b) (5) (b) (5) The Board agent who investigated the charge, Rachel Babale, will be leaving the Agency in September and we would like to (b) (5), if possible.

Thanks,

Emily

Emily N. Hunt, Supervisory Examiner
National Labor Relations Board, Region 5
Bank of America Center, Tower II
100 S. Charles Street, Suite 600
Baltimore, MD 21201

(410) 962-2864 direct
(410) 962-2198 fax
(410) 962-2048 team secretary

Please consider the environment before printing this message.

Case Name: SKR Inc. d/b/a McDonald's & McDonald's Corp. as Joint and Single Employers
Case No.: 05-CA-149399
Agent: Rachel R. Babale, Field Examiner

CASEHANDLING LOG

| Date | Person Contacted | Method of Contact | Description of Contact or Activity |
|-----------------------------------|------------------|-------------------|--|
| 4/2/15 | | | Charge assigned, but I was on S/L 4/2 and 4/3 |
| 4/6/15 | Virginia Diamond | Phone | I left a vm for her. |
| 4/6/15 | Virginia Diamond | Phone | She said that she is going to give my contact info to Lauren Bonds, an atty for SEIU and she would be calling me to set up the affs. |
| 4/6/15 | Lauren Bond | Phone | She left me a msg that (b) (6), (b) (7)(C) [REDACTED] Bonds: (202) 730-7149 |
| 4/6/15 | Lauren Bonds | Phone | I left her a vm that I could meet (b) (6), (b) (7)(C) [REDACTED] |
| | | | See e-mails w Bonds re scheduling. |
| (b) (6), (b) (7)(C) [REDACTED] | | | |
| 4/22/15 | | | Sent allegations letter to ENH for her review – I included (b) (5) [REDACTED] |
| 4/23/15 | | | Discussed w/ENH – (b) (5) [REDACTED] |

| Date | Person Contacted | Method of Contact | Description of Contact or Activity |
|-------------------------|---------------------|-------------------|--|
| | | | (b) (5) |
| 4/23/15 | | | Mailed allegations ltr to SKR |
| (b) (6), (b) (7)(C) /15 | (b) (6), (b) (7)(C) | Phone | (b) (6), (b) (7)(C) left me a vm saying (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) wants to discuss with me. |
| (b) (6), (b) (7)(C) /15 | (b) (6), (b) (7)(C) | Phone | I called but no answer |
| 4/30/15 | | | NoA filed for ER atty |
| 5/1/15 | Posi Oshinowo | Phone | He left me a vm |
| | | | Exchanged voicemails w/Oshinowo |
| 5/1/15 | Posi Oshinowo | Email | Requested an extension on the position statement |
| 5/11/15 | | | Pst filed |
| | | | Spent hours looking for CP's fb page, and was looking through one set to public, but then realized it was not (b) (6), (b) (7)(C). Found what appears to be 2 different fb pages, but both set to private. |
| 6/23/15 | | | Sent up FIR/Team Agenda Minute; Acting SFX KEA agrees with recommendation |
| 6/23/15 | Lauren Bonds | Phone | I left her a vm to cb |
| Notes by SFX Hunt | | | |
| 8/20/15 | Region 2 | email | Received email from R0-2 (b) (5) |
| 8/24/15 | Lauren Bonds | Phone | Confirmed with Lauren Bonds that CP wishes to withdrawal charge. |
| | | | |



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 5
BANK OF AMERICA CENTER, TOWER II
100 S. CHARLES STREET, SUITE 600
BALTIMORE, MD 21201

Agency Website: www.nlrb.gov
Telephone: (410) 962-2822
Fax: (410) 962-2198

August 24, 2015

Gloria Santona, Esq.
McDonald's Corporation
2111 McDonald's Drive
Oak Brook, IL 60523-2199

Doreen S. Davis, Esq.
Jones Day
222 East 41st Street
New York, NY 10017-6739

Michael S. Ferrell, Esq.
Andrew G. Madsen, Esq.
Jones Day
77 West Wacker Drive, Suite 3500
Chicago, IL 60601

Vijay K. Mago, Esq.
Olaoluwaposi Oshinowo, Esq.
LeClair Ryan
Riverfront Plaza, East Tower
951 East Byrd Street
Richmond, VA 23219-4074

Re: SKR Inc. d/b/a McDonald's & McDonald's
Corporation as Joint and Single Employers
Case 05-CA-149399

Dear Ms. Santona, Ms. Davis, Mr. Ferrell, Mr. Madsen, Mr. Mago, and Mr. Oshinowo:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Charles L. Posner

Charles L. Posner
Regional Director

cc:

(b) (6), (b) (7)(C)

SKR, Inc.
5106 Nine Mile Road
Richmond, VA 23223-3341

Virginia R. Diamond, Esq.
Ashcraft & Gerel, LLP
4900 Seminary Road, Suite 650
Alexandria, VA 22311

Mr. Guillermo Zamora
Southern Workers Organizing Committee
314 South Wilmington Street, Suite 207
Raleigh, NC 27601

Lauren Bonds, Esq.
Security Employees International Union
1800 Massachusetts Avenue, N.W.
Washington, DC 20036